

Hingtgen, Robert J

From: Donna Tisdale <tisdale.donna@gmail.com>
Sent: Saturday, July 26, 2014 7:48 AM
To: Angel, Jose@Waterboards; febnesha@dtsc.ca.gov
Cc: Hingtgen, Robert J; FGG-DL, LSDOCS; Roger Vintze; Luis Olmedo
Subject: ICEJ Task Force Soitec Solar concerns
Attachments: 7-25-14 Final EJ Soitec solar letter of concern addressed to Jose Angel-RWQCB.pdf

Hello Mr Angel,

Please find the attached request for comments from your Regional Water Quality Control Board Region 7 with a list of concerns and references from the public members of the Imperial County Environmental Justice Task Force (ICEJTF) related to the **Soitec Solar Development Programmatic EIR (PDS2012-3910-120005)** that is currently being processed by San Diego County.

Due the location of the project in the predominantly low-income and drought-stressed groundwater dependent community of Boulevard, in eastern San Diego County, the project location is within the boundaries of RWQCB7. Disproportionate and cumulative adverse impacts are of major concern based on numerous large scale projects under construction and proposed in the same sensitive areas.

Roger Vintze at DTSC and Luis Olmedo at Comite Civico are the ICEJTF co-chairs and assigned contacts for the group. They are copied on this message.

Regards

Donna Tisdale
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Boulevard, CA 91905
619-766-4170



Date: July 25, 201

To: Jose Angel, Assistant Executive Officer, Regional Water Quality Control Board Region 7 (RWQCB7) via: jangel@waterboards.ca.gov

cc: San Diego County Board of Supervisors via the Clerk of the Board: lsdocs@sdcounty.ca.gov; San Diego County Planning Commissioners via lisa.fitzpatrick@sdcounty.ca.gov ; and the San Diego County Planning and Development Services Department Project Manager via: robert.hingtgen@sdcounty.ca.gov ; San Diego County EJ Taskforce via: febnesha@dtsc.ca.gov

From: Imperial County Environmental Justice (EJ) Task Force; contacts: ICEJTF co-chairs Roger Vintze Roger.Vintze@dtsc.ca.gov & Luis Olmeda comitecivico@sbcglobal.net

LETTER OF CONCERN AND FORMAL REQUEST FOR RWQCB7 COMMENTS REGARDING SOITEC SOLAR DEVELOPMENT DRAFT PROGRAMATIC EIR¹ FOR FOUR PROJECTS LOCATED IN GROUNDWATER DEPENDENT EASTERN SAN DIEGO COUNTY WITHIN RWQCB7 BOUNDARIES

CEQA PEIR REVIEW: Soitec's projects are currently under CEQA review by San Diego County's Planning & Development Services Department: <http://www.sdcounty.ca.gov/pds/ceqa/Soitec-Solar-EIR.html>.

REQUEST FOR COMMENTS & REVISED DRAFT PEIR: Based on the groundwater dependent Boulevard project locations, within RWQCB7 boundaries, the Imperial County EJ Task Force is requesting that your agency research and submit formal comments for San Diego County's Programmatic EIR process, prior to pending public hearings expected to be held in the fall of 2014 or by early 2015. *At a minimum, please request that San Diego County require a revised Draft PEIR, with more project specific information, be produced by the developer and re-circulated for public review and comment.*

EJ TASK FORCE CONSENSUS: At our May and our July meetings public members of the Imperial County EJ Taskforce (excludes any government entities or representatives) endorsed this comment letter, by consensus, regarding serious concerns with the public health and safety, disproportionate impacts, and other environmental justice issues related to Soitec Solar's proposed 168 MW Concentrating PV (CPV) dual tracking solar projects within RWQCB7. Soitec's projects as planned for four sites, covering approximately 1,500 acres, plus an additional 1,490 acre alternative site, in the fire-prone, drought-stressed, groundwater dependent, and predominantly low-income rural community of Boulevard in Eastern San Diego County.

SOLE SOURCE GROUNDWATER & SURFACE WATER IMPACTS: The dual tracking CPV projects propose to use approximately 50 million gallons of groundwater for significant grading, grubbing, and construction in sensitive semi-arid areas. Soitec's projects may result in significant adverse impacts to sole source groundwater and surface water resources for existing residential and small livestock operations,

¹ <http://www.sdcounty.ca.gov/pds/ceqa/GPA12-010.html>

adjacent tribal lands, trans-boundary Ejido Jardines Del Rincon, the Walker Creek and Tule Creek floodplains, Tule Lake, spring-fed seeps and ponds, groundwater dependent riparian habitats, and for conserved lands and wildlife in Anza Borrego Desert State Park, Walker Canyon Ecological Reserve.

MILLIONS OF GALLONS OF PRECIOUS GROUNDWATER AND IMPORTED POTABLE WATER ARE CURRENTLY BEING USED FOR CONSTRUCTION OF SDG&E'S 85-ACRE ECO SUBSTATION NEAR IN-KO-PAH AND JACUMBA

Unauthorized sources from Boulevard area and Campo Reservation wells have been curtailed. SDG&E had to amend their Water Supply Plan from the original estimated 30 million gallons to 90 million gallons. In the Final EIR, SDG&E was authorized 1.15 million truck miles just to haul water for their ECO Substation project. According to their own figures, that 1.15 million mileage limit has already been exceeded. According to information from locals, numerous solar projects in San Bernardino County have reportedly used at least ten times the amount of ground water estimated—during a state declared drought and ominous climate change predictions for increased heat, and longer more persistent drought conditions in the future.

CONTROVERSIAL PROJECT – IMPORTANT COMMENTS: We are adding our voices to concerns already expressed during the Draft PEIR comment period by impacted residents, SDSU's Dr. Victor Miguel Ponce; Timothy Schoechle PHD; US Fish and Wildlife Services; the Nature Conservancy; the Anza Borrego State Park Foundation; Mark Jorgensen, former ABSP Superintendent; the Cleveland National Forest Foundation; Conservation Biology; Endangered Habitats League; Volker Law; the Boulevard Community Planning Group The Protect Our Communities Foundation; Backcountry Against Dumps ,and more.

SIGNIFICANT AND DISPROPORTIONATE IMPACTS; SOITEC'S CPV PANEL SQUARE FOOTAGE = SAME AS 47 WALMART SUPERCENTERS: The total square footage of Soitec's proposed 7,290 CPV modules, at 1,200 square feet each (8.75 million sq ft), is equivalent to the square footage of 47 Walmart Supercenters that average 185,000 square feet each—proposed for rural Boulevard neighborhoods and floodplains zoned for 1 dwelling unit per 80 acres due to limited groundwater resources and lack of adequate infrastructure. Large flat panels and clear grading of carbon sequestering chaparral and desert soils can seriously alter surface and groundwater flow and recharge and stormwater flow rates, thereby reducing groundwater resources, increasing soil erosion, and air quality impacts in semi-arid lands.

EJ TASKFORCE MEMBERS HAVE LEARNED FROM THE EXPERIENCES OF NUMEROUS RURAL COMMUNITIES THAT ARE ALREADY SUFFERING IMPACTS FROM INDUSTRIAL SCALE SOLAR AND WIND ENERGY AND TRANSMISSION PROJECTS The estimated amount of water needed for construction and operation has been vastly underestimated. And the unnecessary industrial conversion of growing crops, desert vegetation, flood plains and/or undisturbed desert soils into utility scale energy projects has significantly increased dust and noise pollution and adverse air quality impacts along with increased soil erosion, storm water runoff, and loss of groundwater recharge in areas that are totally or partially groundwater dependent. At the same time, the actual number of local jobs and long-term jobs has been vastly overestimated.

CUMULATIVE IMPACT PROJECTS TO EJ COMMUNITIES: Cumulative project impacts for EJ communities, within RWQCB7 should also be addressed, including the Desert Renewable Energy Conservation Plan, Imperial County's General Plan Update for renewable energy, transmission, and geothermal and multiple large scale energy and transmission projects already built or proposed within or adjacent to the boundaries of RWQCB7. Boulevard's 1,500 or so residents are predominantly low-income.

ENVIRONMENTALLY SUPERIOR POINT OF USE ALTERNATIVES: As an alternative, we encourage your agency to consider supporting far less expensive and destructive point-of-use renewable energy projects

on existing structures and over parking lots, with the use of grid balancing clean inverters to help prevent electrical pollution and power quality impacts. Point-of-use projects can add value and reduced utility costs for public and private property owners, cooling shade over hot parking lots, and do not require extensive grading or water use, the unnecessary conversion of current land uses, or expensive new transmission lines that may also involve eminent domain takings. Please see Dr. Schoeclé's comment letter linked in the reference section, regarding the lack of need for large-scale rural projects.

Thank you in advance for your consideration of our valid and justified requests of your agency.

Best Regards,

Members of the Imperial County Environmental Justice Task Force.

REMINDER:

The Imperial County EJ Task Force members include representatives of the Department of Toxic Substances Control and RWQCB7, which are BDOs of CalEPA. CalEPA's stated mission is "to restore, protect and enhance the environment, to ensure public health, environmental quality and economic vitality"². CalEPA's EJ Policy states: "The California Environmental Protection Agency (CalEPA) and our boards, departments, and office (BDOs) shall accord the highest respect and value to every individual and community, by developing and conducting our public health and environmental protection programs, policies, and activities in a manner that promotes equity and affords fair treatment, accessibility, and protection for all Californians, regardless of race, age, culture, income, or geographic location".

REFERENCED REPORTS & COMMENT LETTERS:

1. SDSU's Dr Victor M Ponce's report: Impacts of Soitec Solar Projects on Boulevard and Surrounding Communities: <http://www.ponce.sdsu.edu/boulevardsoitec.html>
2. US Fish & Wildlife comment letter: <http://www.sdcounty.ca.gov/pds/ceqa/Soitec-Documents/Record-Documents/2014-03-11-USFishandWildlifeService-Comment-Letter-Late-Soitec-Solar-DPEIR.pdf>
3. Dr. Timothy Schoeclé's Soitec DPEIR comments/ point of use alternatives: <http://www.gettingsmarteraboutthesmartgrid.org/San-Diego-County>
4. Anza Borrego Foundation comment letter: <http://www.sdcounty.ca.gov/pds/ceqa/Soitec-Documents/Record-Documents/2014-02-14-PaigeRogowski-Anza-Borrego-Foundation-email-Comment-Letter-Soitec-Solar-DPEIR.pdf>
5. Mark Jorgensen, former Anza Borrego State Park Superintendent, comment letter: <http://www.sdcounty.ca.gov/pds/ceqa/Soitec-Documents/Record-Documents/2014-02-15-MarkJorgensen-email-Comment-Letter-Soitec-Solar-DPEIR.pdf>
6. Conservation Biology comment letter: <http://www.sdcounty.ca.gov/pds/ceqa/Soitec-Documents/Record-Documents/2014-03-03-ConservationBiologyInstitute-Comment-Letter-Soitec-Solar-DPEIR.pdf>
7. The Nature Conservancy comment letter: <http://www.sdcounty.ca.gov/pds/ceqa/Soitec-Documents/Record-Documents/2014-02-25-TheNatureConservancy-Comment-Letter-Soitec-Solar-DPEIR.pdf>

² <http://www.calepa.ca.gov/About/>

8. Endangered Habitats League comment letter: <http://www.sdcounty.ca.gov/pds/ceqa/Soitec-Documents/Record-Documents/2014-03-03-MichaelFitts-Endangered-Habitats-League-Comment-Letter-Soitec-Solar-DPEIR.pdf>
 9. Cleveland National Forest Foundation comment letter: <http://www.sdcounty.ca.gov/pds/ceqa/Soitec-Documents/Record-Documents/2014-02-14-Cleveland-National-Forest-Foundation-email-Comment-Letter-Soitec-Solar-DPEIR.pdf>
 10. Volker Law comment letter: <http://www.sdcounty.ca.gov/pds/ceqa/Soitec-Documents/Record-Documents/2014-03-01-StephanVolker-Comment-Cover-Letter-Soitec-Solar-DPEIR.pdf>
 11. The Protect Our Communities Foundation's comment letter: <http://www.sdcounty.ca.gov/pds/ceqa/Soitec-Documents/Record-Documents/2014-03-03-KellyFuller-Protect-Our-Communities-Foundation-Comment-Letter-1-of-2-Soitec-Solar-DPEIR.pdf>
 12. Boulevard Planning Group's comment letter: <http://www.sdcounty.ca.gov/pds/ceqa/Soitec-Documents/Record-Documents/2014-03-03-BoulevardCommunityPlanningGroup-Comment-Letter-Soitec-Solar-DPEIR.pdf>
 13. Donna Tisdale PowerPoint presentation for Boulevard community meeting: <http://www.sdcounty.ca.gov/pds/ceqa/Soitec-Documents/Record-Documents/2014-01-21-DonnaTisdale-email-powerpoint-Soitec-Solar-PEIR-BAD-Presentation.pdf>
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